

DEFENSIVE DRIVING BOARD

Meeting Agenda - Thursday, August 22, 2019

Arizona Supreme Court -1501 West Washington Street

Phoenix, Arizona 85007 –10:00 AM– Conference Room 109

General Inquiries Call: (602) 452-3378 (Certification and Licensing Division Line)

Members of the Public May Attend Meeting in Person

For any item listed on the agenda, the Board may vote to go into Executive Session for advice of counsel and/or to discuss records and information exempt by law or rule from public inspection, pursuant to the Arizona Code of Judicial Administration, Code Section 1-202(C).

CALL TO ORDER.....Honorable Maria Brewer, Chair

1) REVIEW AND APPROVAL OF MINUTESHonorable Maria Brewer, Chair

1-A: Review, discussion and possible action regarding the regular session minutes for the meeting of June 13, 2019.

2) PENDING COMPLAINTS.....Division Staff

2-A: Review, discussion and possible action regarding complaint number 19-D002 concerning certificate holder All Access Defensive Driving School.

2-B: Review, discussion and possible action regarding complaint number 18-D018 concerning certificate holder 123 AZ Online Driving School.

2-C: Review, discussion and possible action regarding complaint number 18-D019 concerning certificate holder All Over Arizona Traffic.

2-D: Review, discussion and possible action regarding complaint number 18-D020 concerning certificate holder American Safety Council.

2-E: Review, discussion and possible action regarding complaint number 18-D021 concerning certificate holder Arizona Academy of Defensive Driving.

2-F: Review, discussion and possible action regarding complaint number 18-D023 concerning certificate holder Cheaper Easier Faster Arizona.

2-G: Review, discussion and possible action regarding complaint number 18-D024 concerning certificate holder Payless Dismiss Ticket Fast.

2-H: Review, discussion and possible action regarding complaint number 18-D025 concerning certificate holder AZ Defensive Driving by Safe2Drive.

- 2-I: *Review, discussion and possible action regarding complaint number 18-D026 concerning certificate holder AZ Fast 4 Hour Defensive Driving School.*
- 2-J: *Review, discussion and possible action regarding complaint number 18-D027 concerning certificate holder Arizona Traffic Schools, LLC.*
- 2-K: *Review, discussion and possible action regarding complaint number 18-D030 concerning certificate holder Pay 4 Less Simple Fun.*
- 2-L: *Review, discussion and possible action regarding complaint number 18-D033 concerning certificate holder Drive Safe AZ Traffic School.*
- 2-M: *Review, discussion and possible action regarding complaint number 18-D036 and 18-D037 concerning certificate holders Easy As Pie Defensive Driving Online and Online Traffic Ticket Dismissal.*
- 2-N: *Update regarding the status of pending complaints.*

3) INITIAL CERTIFICATION AND ELIGIBILITY.....Division Staff

- 3-A: *Review, discussion and possible action regarding pending application for initial defensive driving instructor certification for the following applicants:*
1. Robert Robinson
 2. Christina Williams
 3. Morgan Robidoux
 4. Chirag Patel

4) CERTIFICATION AND ELIGIBILITYDivision Staff

- 4-A: *Review, discussion and possible action regarding pending sale or transfer of defensive driving schools I Drive Safely and DriversEd.com.*
- 4-B: *Review, discussion and possible action regarding request for inactive status from defensive driving school, Crash and Learn, LLC.*
- 4-C: *Review, discussion and possible action regarding a change of curriculum for Arizona Chapter National Safety Council.*
- 4-D: *Review, discussion and possible action regarding request for school name change for the following defensive driving schools:*
1. Start Today Online Defensive Driving
 2. Easy as Pie Defensive Driving Online

5) ADMINISTRATIVE ISSUESDivision Staff

5-A: *Review, discussion and possible action regarding the certification renewal application deadline pursuant to ACJA § 7-201(G)(2).*

5-B: *Review, discussion and possible action concerning random audits of continuing education compliance for renewal.*

CALL TO THE PUBLICHonorable Maria Brewer, Chair

ADJOURNHonorable Maria Brewer, Chair

DEFENSIVE DRIVING BOARD

Agenda Summary – Thursday August 22, 2019

1) REVIEW AND APPROVAL OF MINUTES

1-A: Review, discussion and possible action regarding the regular session minutes for the meeting of June 13, 2019.

Regular session minutes of the June 13, 2019 meeting are presented for the Board's review and approval.

DEFENSIVE DRIVING BOARD

Agenda Summary – Thursday, August 22, 2019

2) PENDING COMPLAINTS

2-A: Review, discussion and possible action regarding complaint number 19-D002 concerning certificate holder All Access Defensive Driving School.

On March 25, 2019, Division staff attempted to monitor a defensive driving class scheduled in the Defensive Driving Tracking System (“DDTS”) for routine instructor compliance. The class was not held as scheduled and Division staff was not notified prior of any extraordinary circumstances that would warrant a class cancellation. This was the second unreported cancellation by All Access Defensive Driving School #495 since the 2018 code changes went into effect.

In his response to the director-initiated complaint, Mr. Eribes explained that the class was canceled because the scheduled instructor, Guadalupe Martinez, resigned from her position due to a schedule conflict with her other job. Mr. Eribes explained further that he did not have another instructor to fill the vacancy.

Furthermore, on April 15, 2019, Mr. Eribes notified Division staff that he canceled two additional classes on April 15, 2019 and April 29, 2019 because he did not have a licensed instructor to fill Ms. Martinez’s vacancy.

Recommendation:

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding All Access DDS has committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 19-D002.

It is recommended the Board enter a finding grounds for informal disciplinary action exists pursuant to Arizona Code of Judicial Administration (“ACJA”) § 7-201(H)(6) for act(s) of misconduct involving violation of ACJA § 7-205(F)(23) by canceling classes without extraordinary circumstances and in failing to notify the Division of such cancelations.

It is further recommended the Board issue a Letter of Concern.

DEFENSIVE DRIVING BOARD

Agenda Summary – Thursday, August 22, 2019

2) PENDING COMPLAINTS

2-B: Review, discussion and possible action regarding complaint number 18-D018 concerning certificate holder 123 AZ Online Driving School.

On October 8, 2018 Pima County Consolidated Court notified the Division 123 AZ Online Driving School failed to timely submit payment for a student's completion in September 2018.

In response to the complaint, the school demonstrated the student's fee was paid timely but due to another student's ticket being dismissed the Court returned the check. Upon receiving the returned funds, the school immediately issued a new check to pay for the student's fees.

Recommendation:

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding 123 AZ Online Driving School has not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 18-D018.

It is further recommended the Board dismiss complaint number 18-D018 without prejudice.

DEFENSIVE DRIVING BOARD

Agenda Summary – Thursday, August 22, 2019

2) PENDING COMPLAINTS

2-C: Review, discussion and possible action regarding complaint number 18-D019 concerning certificate holder All Over Arizona Traffic.

On October 8, 2018 Pima County Consolidated Court notified the Division All Over Arizona Traffic failed to timely submit payment for two students' competitions.

In response to the complaint, All Over Arizona Traffic School demonstrated the fees were paid through the Pima County payment portal during the payment cycle, but the funds were not withdrawn from their account. The school was not aware of this discrepancy until they received notification from the Division.

Furthermore, All Over Arizona Traffic School has taken steps to fully understand the procedure of properly completing students who receive a citation through Pima County Consolidated Court and completions that are paid through the portal.

Recommendation:

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding All Over Arizona Traffic School has not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 18-D019.

It is further recommended the dismiss complaint 18-D019 without prejudice.

DEFENSIVE DRIVING BOARD

Agenda Summary – Thursday, August 22, 2019

2) PENDING COMPLAINTS

2-D: Review, discussion and possible action regarding complaint number 18-D020 concerning certificate holder American Safety Council.

On October 8, 2018 Pima County Consolidated Court notified the Division American Safety Council failed to timely submit payment for a student's completion in September 2018.

In response to the complaint, American Safety Council advised the Division payment was made in a timely manner and their accounting department verified the check was cashed by the Court. Upon further research, Pima County Consolidated Court found the payment portal was displaying a duplicate obligation for the student and verified payment was received within the appropriate timeframe.

Evidence confirms Pima County Consolidated Court received payment for Allyn Haynes within eleven days of completion, Allegation 1 is unsubstantiated.

Recommendation:

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding American Safety Council has not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 18-D020.

It is further recommended the Board dismiss complaint number 18-D020 without prejudice.

DEFENSIVE DRIVING BOARD

Agenda Summary – Thursday, August 22, 2019

2) PENDING COMPLAINTS

2-E: Review, discussion and possible action regarding complaint number 18-D021 concerning certificate holder Arizona Academy of Defensive Driving.

On October 8, 2018 Pima County Consolidated Court notified the Division Arizona Academy of Defensive Driving failed to timely submit payment for a student's completion in February 2018.

In response to the complaint, Arizona Academy of Defensive Driving indicated the outstanding fee was a onetime human error and paid immediately after the court's notification.

Evidence confirms Arizona Academy of Defensive Driving was late in their submission of fees for a student who completed in February 2018. Although the school was quick to submit payment once they became aware of the incident, several months had passed since the student's completion and they failed to reconcile and balance all collected fees daily. Allegation 1 is, therefore, substantiated.

Recommendation:

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Arizona Academy of Defensive Driving committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 18-D021.

It is recommended the Board enter a finding grounds for informal disciplinary action exists pursuant to Arizona Code of Judicial Administration ("ACJA") § 7-201(H)(6) for act(s) of misconduct involving violation of ACJA § 7-205(F)(26)(f)(2) and 7-205(F)(27)(a) by failing to timely remit diversion fees and to reconcile and balance all collected fees daily.

It is further recommended the Board issue a Letter of Concern.

DEFENSIVE DRIVING BOARD

Agenda Summary – Thursday, August 22, 2019

2) PENDING COMPLAINTS

2-F: Review, discussion and possible action regarding complaint number 18-D023 concerning certificate holder Cheaper Easier Faster Arizona.

On October 8, 2018 Pima County Consolidated Court notified the Division Cheaper Easier Faster Arizona failed to timely submit payment for a student's completion in December 2016.

In response to the complaint, Cheaper Easier Faster Arizona indicated the fee was paid timely, but because the student was a juvenile the Court did not accept the completion and returned the check. Once the school was notified by the student that the Court would accept the completion a new check was issued. Upon further investigation, it was discovered the payment did not clear through the bank.

Since this incident, Cheaper Easier Faster Arizona has implemented a new system for verifying if checks have cleared through the bank to prevent future outstanding payments.

Evidence confirms Cheaper Easier Faster Arizona was late in submission of payment to Pima County Consolidated Court for a student's completion. While the school failed to ensure the funds were withdrawn from their bank account and failed to reconcile and balance collected fees, under these facts this does not appear to reach the level of a code violation. Allegation 1 is therefore unsubstantiated.

Recommendation:

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Cheaper Easier Faster Arizona has not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 18-D023.

It is further recommended the Board dismiss complaint number 18-D023 without prejudice.

DEFENSIVE DRIVING BOARD

Agenda Summary – Thursday, August 22, 2019

2) PENDING COMPLAINTS

2-G: Review, discussion and possible action regarding complaint number 18-D024 concerning certificate holder Payless Dismiss Ticket Fast.

On October 8, 2018 Pima County Consolidated Court notified the Division Payless Dismiss Ticket Fast failed to timely submit payment for a student's completion in July 2016.

In response to the complaint, Payless Dismiss Ticket Fast demonstrated payment for the student was paid timely, but upon further investigation it was discovered the check never cleared through the bank. Since this incident, Payless Dismiss Ticket Fast claims they have implemented a new system for verifying if checks have cleared through the bank to prevent future outstanding payments.

Evidence confirms Payless Dismiss Ticket Fast was late in submission of payment to Pima County Consolidated Court for a student's completion. While the school failed to ensure the funds were withdrawn from their bank account and failed to reconcile and balance collected fees, under these facts this does not appear to reach the level of a code violation. Allegation 1 is therefore unsubstantiated.

Recommendation:

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Payless Dismiss Ticket Fast has not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 18-D024.

It is further recommended the Board dismiss complaint 18-D024 without prejudice.

DEFENSIVE DRIVING BOARD

Agenda Summary – Thursday, August 22, 2019

2) PENDING COMPLAINTS

2-H: Review, discussion and possible action regarding complaint number 18-D025 concerning certificate holder AZ Defensive Driving by Safe2Drive.

On October 8, 2018 Pima County Consolidated Court notified the Division that AZ Defensive Driving by Safe2Drive failed to timely submit payment for multiple student competitions.

AZ Defensive Driving by Safe2Drive informed the Court that payments for these students were made timely. Upon further research, the court advised the school funds were returned to the bank. The school immediately attempted to pay the outstanding fees through the online portal, however since the previous payments were voided the school had to mail the Court a check.

In response to the complaint, AZ Defensive Driving by Safe2Drive indicated their records showed the fees were paid timely and provided their online payment receipt. AZ Defensive Driving by Safe2Drive stated they are not a fault for the outstanding payments and the issue should be placed on Pima County Consolidated Court.

Evidence confirms AZ Defensive Driving by Safe2Drive was late in submission of payments to Pima County Consolidated Court for multiple student completions. While the school failed to ensure the funds were withdrawn from their bank account and failed to reconcile and balance collected fees, under these facts this does not appear to reach the level of a code violation. Allegation 1 is therefore unsubstantiated.

Recommendation:

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding AZ Defensive Driving by Safe2Drive has not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 18-D025.

It is further recommended the Board dismiss complaint number 18-D025 without prejudice.

DEFENSIVE DRIVING BOARD

Agenda Summary – Thursday, August 22, 2019

2) PENDING COMPLAINTS

2-I: Review, discussion and possible action regarding complaint number 18-D026 concerning certificate holder AZ Fast 4 Hour Defensive Driving School.

On October 8, 2018 Pima County Consolidated Court notified the Division AZ Fast 4 Hour Defensive Driving School failed to timely submit payment for a student completion in August 2018.

In response to the complaint, AZ Fast 4 Hour Defensive Driving School provided the Division a copy of the check demonstrating payment for the student was made timely. Upon further research the Court found payment for the student was applied to a different case. The Court alerted the school of the clerical error and transferred the funds to the correct case.

Evidence confirms Pima County Consolidated Court received payment for the student within eleven days of completion, allegation 1 is unsubstantiated.

Recommendation:

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding AZ Fast 4 Hour Defensive Driving School has not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 18-D026.

It is further recommended the Board dismiss complaint number 18-D026 without prejudice.

DEFENSIVE DRIVING BOARD

Agenda Summary – Thursday, August 22, 2019

2) PENDING COMPLAINTS

2-J: Review, discussion and possible action regarding complaint number 18-D027 concerning certificate holder Arizona Traffic Schools, LLC.

On October 8, 2018 Pima County Consolidated Court notified the Division Arizona Traffic Schools LLC failed to timely submit payment for a student completion in May 2018.

Arizona Traffic Schools LLC informed Pima County Consolidated Court the student's fee in question was paid timely. Upon further research, the Court advised the school that their records show the Treasurer refunded the payment and reversed the obligation to unpaid.

In response to the complaint, Arizona Traffic Schools LLC demonstrated payment for the student was made through the payment portal. The school provided their bank statements to the Division, which showed no reverse payments.

Evidence confirms Arizona Traffic Schools LLC was late in submission of payment to Pima County Consolidated Court for the student's completion. While the school failed to ensure the funds were withdrawn from their bank account and failed to reconcile and balance collected fees, under these facts this does not appear to reach the level of a code violation. Allegation 1 is therefore unsubstantiated.

Recommendation:

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Arizona Traffic Schools LLC has not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 18-D027.

It is further recommended the Board dismiss complaint number 18-D027 without prejudice.

DEFENSIVE DRIVING BOARD

Agenda Summary – Thursday, August 22, 2019

2) PENDING COMPLAINTS

2-K: Review, discussion and possible action regarding complaint number 18-D030 concerning certificate holder Pay 4 Less Simple Fun.

On October 8, 2018 Pima County Consolidated Court notified the Division Pay 4 Less Simple Fun Arizona failed to timely submit payment for a student completion in April 2016.

In response to the complaint, Pay 4 Less Simple Fun Arizona demonstrated payment for the student was paid timely, but upon further investigation it was discovered the check never cleared through the bank. Since this incident, Payless Dismiss Ticket Fast has implemented a new system for verifying if checks have cleared through the bank to prevent future outstanding payments.

Evidence confirms Pay 4 Less Simple Fun Arizona was late in submission of payment to Pima County Consolidated Court for a student's completion. While the school failed to ensure the funds were withdrawn from their bank account and failed to reconcile and balance collected fees, under these facts this does not appear to reach the level of a code violation. Allegation 1 is therefore unsubstantiated.

Recommendation:

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Pay 4 Less Simple Fun Arizona has not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 18-D030.

It is further recommended the Board dismiss complaint number 18-D030 without prejudice.

DEFENSIVE DRIVING BOARD

Agenda Summary – Thursday, August 22, 2019

2) PENDING COMPLAINTS

2-L: Review, discussion and possible action regarding complaint number 18-D033 concerning certificate holder Drive Safe AZ Traffic School.

On October 8, 2018 Pima County Consolidated Court notified the Division Drive Safe AZ Traffic School failed to timely submit payment for multiple student completions.

In response to the complaint, Drive Safe AZ Traffic School demonstrated that each payment in question was made within 1-4 days. After contacting the Court, it was brought to the school's attention that initial payments were reversed back to the bank. Bank statements were provided to the Division, which showed no reverse payments.

Since the incident, the school has implemented checking their online bank statements after payment is made. Prior to this notification, the school was under the impression that receiving a transaction number from the payment portal indicated Pima County received their payment, which resulted in not checking their bank statements.

Evidence confirms Drive Safe AZ Traffic School was late in submission of payments to Pima County Consolidated Court for multiple student completions. While the school failed to ensure the funds were withdrawn from their bank account and failed to reconcile and balance collected fees, under these facts this does not appear to reach the level of a code violation. Allegation 1 is therefore unsubstantiated.

Recommendation:

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Drive Safe AZ Traffic School has not committed the alleged act(s) of misconduct as detailed in the Investigation Summary and Allegation Analysis Report in complaint number 18-D033.

It is further recommended the Board dismiss complaint number 18-D033 without prejudice.

DEFENSIVE DRIVING BOARD

Agenda Summary – Thursday, August 22, 2019

2) PENDING COMPLAINTS

2-M: Review, discussion and possible action regarding complaint number 18-D036 and 18-D037 concerning certificate holders Easy As Pie Defensive Driving Online and Online Traffic Ticket Dismissal.

On October 8, 2018 Pima County Consolidated Court notified the Division Easy As Pie Defensive Driving Online and Online Traffic Ticket Dismissal failed to timely submit payment for multiple student completions.

In response to complaint 18-D036, Easy As Pie Defensive Driving Online explained to the Division the payment for a student who completed in September 2018 was late in part of the Court's electronic system. They attempted to pay for the student's completion on two different occasions, but the case was not posted. They then decided to mail the check, which was received by the Court.

Upon further research, Pima County Consolidated Court found payment for one of the students' fee in question was applied to a different case. The court notified Online Traffic Ticket Dismissal about the clerical error and transferred the funds to the correct case.

In response to 18-D037, Online Traffic Ticket Dismissal explained when they initially attempted to pay fees for a student who completed in December 2017, the case was not posted on the portal. They flagged the case to pay once it was posted, but simply forgot to make the payment.

Evidence confirms Easy As Pie Defensive Driving Online was late in their submission of fees for a student who completed in September 2018. The failure to timely pay apparently was, in part, the result of the Court's electronic system. Allegation 1 is unsubstantiated.

Although the court takes responsibility for the one of the students' late completion payments, evidence confirms Online Traffic Ticket Dismissal was late in their submission of fees for a student who completed in December 2017. Therefore, allegation 2 is substantiated.

Recommendation:

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Easy As Pie Defensive Driving Online has not committed the alleged act(s) of misconduct as detailed in Allegation 1 in the Investigation Summary and Allegation Analysis Report in complaint numbers 18-D036 and 18-D037.

It is further recommended the Board dismiss complaint number 18-D036 as to Easy As Pie Defensive Driving Online without prejudice.

It is recommended the Board accept the finding of the Probable Cause Evaluator and enter a finding Online Traffic Ticket Dismissal has committed the alleged act(s) of misconduct as detailed Allegation 2 in the Investigation Summary and Allegation Analysis Report in complaint numbers 18-D036 and 18-D037.

It is recommended the Board enter a finding grounds for informal disciplinary action exists pursuant to Arizona Code of Judicial Administration (“ACJA”) § 7-201(H)(6)(a) for act(s) of misconduct involving ACJA § 7-205 (F)(28)(f)(2) for failure to submit timely payment to the court.

It is further recommended the Board issue a Letter or Concern as to Online Traffic Ticket Dismissal complaint number 18-D037.

DEFENSIVE DRIVING BOARD

Agenda Summary – Thursday August 22, 2019

2) PENDING COMPLAINTS

2-N: Update regarding the status of pending complaints.

As of August 16, 2019, there are currently 50 open complaints, thirteen of which have been presented on this agenda with dispositive recommendations under agenda items 2A through 2M.

DEFENSIVE DRIVING COMPLAINTS COURTOOLS MEASURE 4 AGE OF PENDING CASELOAD Shaded Areas Indicate Cases within Time Standard of 22 Months

Age (Months)	Number Cases	Percent	Cumulative Percent
0-4	0	0%	0%
5-9	5	10%	10%
10-14	37	74%	84%
15-19	6	12%	96%
20-22	0	0%	96%
23-35	2	4%	100%
36-50			
Over 50			
Total	50	100%	100%

DEFENSIVE DRIVING BOARD

Agenda Summary – Thursday, August 22, 2019

3) INITIAL CERTIFICATION AND ELIGIBILITY

3-A: Review, discussion and possible action regarding pending applications for initial defensive driving instructor certification for the following applicants:

The following applicants applied for initial defensive driving instructor certification. They successfully passed the program examination and have submitted a complete application demonstrating that they meet the minimum education and experience requirements.

The Division recommends approval of initial defensive driving instructor certification for the following applicants:

1. Robert Robinson
2. Christina Williams
3. Morgan Robidoux

3. Chirag Patel applied for initial defensive driving instructor certification and has successfully passed the Arizona Written Exam. Mr. Patel disclosed a 2014 DUI misdemeanor conviction and has successfully completed all terms that were outlined in his probation. The DUI conviction is over five years from the date of his application was submitted and since then he has not been involved in any other criminal or civil matters.

The Division recommends that initial defensive driver instructor certification be granted to Chirag Patel.

DEFENSIVE DRIVING BOARD

Agenda Summary – Thursday, August 22, 2019

4) INITIAL CERTIFICATION AND ELIGIBILITY

4-A: Review, discussion and possible action regarding pending sale or transfer of both classroom and internet format defensive driving schools I Drive Safely and DriversEd.com.

On November 29, 2018, the Division received the applications and supporting documentation pertaining to the sale of the above-named schools to Aceable from Interactive Solutions. Blake Garrett is president of the company. The previous owners will not be involved in the operation of the schools. Background checks were conducted on all parties named on the applications.

Division staff has performed a review of the documents as well as the processes and procedures of the schools.

It is recommended the sale of I Drive Safely and DriversEd.Com to Aceable be approved by the Board.

DEFENSIVE DRIVING BOARD

Agenda Summary – Thursday, August 22, 2019

4) INITIAL CERTIFICATION AND ELIGIBILITY

4-B: Review, discussion and possible action regarding request for inactive status from defensive driving school, Crash and Learn, LLC.

On June 11, 2019, School 079, Crash and Learn, LLC, contacted the division requesting to have its certificate transferred to inactive status. The school completed its last student on June 30, 2019.

Under ACJA 7-201(E)(8), a certificate holder may transfer to inactive status upon request to the board.

The division recommends that the board grant the certificate holder's request for inactive status retroactive to July 1, 2019.

DEFENSIVE DRIVING BOARD

Agenda Summary – Thursday, August 22, 2019

4) INITIAL CERTIFICATION AND ELIGIBILITY

4-C: Review, discussion and possible action regarding a change of curriculum for Arizona Chapter National Safety Council.

On May 21, 2019, the Division received a request for a curriculum change from Arizona Chapter National Safety Council for their classroom presentation.

Division staff has reviewed the curriculum and associated documentation.

It is recommended the change in curricula be granted to Arizona Chapter National Safety Council.

DEFENSIVE DRIVING BOARD

Agenda Summary – Thursday, August 22, 2019

4) INITIAL CERTIFICATION AND ELIGIBILITY

4-D: Review, discussion and possible action regarding request for school name change for the following defensive driving schools:

1. Start Today Online Defensive Driving, School 557, submitted a request to change the school's name on June 7, 2019.

The proposed name for the school is American Roadways Driver Safety Course.

The Division has received the necessary documentation and recommends the Board approve the requested name change from Start Today Online Defensive Driving to American Roadways Driver Safety Course.

2. Easy as Pie Defensive Driving Online, School 563, submitted a request to change the school's name on July 12, 2019.

The proposed name for the school is Defensive Driving the Musical.

The Division has received the necessary documentation and recommends the Board approve the requested name change from Easy as Pie Defensive Driving Online to Defensive Driving the Musical.

DEFENSIVE DRIVING BOARD

Agenda Summary - Thursday, August 22, 2019

5) ADMINISTRATIVE ISSUES

5-A: *Review, discussion and possible action regarding the certification renewal application deadline pursuant to ACJA § 7-201(G)(2):*

Application. A certificate holder is responsible for applying for a renewal certificate. The certificate holder shall apply for renewal of certification on the form provided by division staff. The board shall set a deadline renewal application date, in advance of the expiration date, to allow a reasonable time frame for processing renewal application.

Active certificates expire at midnight on October 31st of each odd numbered year.

The Division recommends that the Board establish renewal application period starting September 2, 2019, through October 31, 2019. Division staff further recommends that applications submitted on or after October 1, 2019 be assessed an additional \$50.00. In the event that a certificate holder has filed a timely and complete application for renewal, the existing certification does not expire until the Board has acted on the application for renewal of certification.

DEFENSIVE DRIVING BOARD

Agenda Summary – Thursday, August 22, 2019

5) ADMINISTRATIVE ISSUES

5-B: *Review, Discussion and possible action concerning random audits of continuing education compliance for renewal.*

ACJA § 7-205(L)(9)(d) reads:

Random audits of continuing education compliance. During each renewal period, the board shall request division staff to randomly specify a number of instructors to demonstrate continuing education requirement compliance through submission of proof of continuing education participation. Refusal or failure to respond to a board or division staff request for documentation of continuing education compliance may result in denial of renewal of certification pursuant to ACJA § 7-201(G) or disciplinary action pursuant to ACJA § 7-201(H) and this section.

It is recommended the Board request staff to sample audit 10% of the instructor pool for continuing education compliance.